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10/690,611	10/23/2003	Imran A. Chaudhri	P3012-832	5910
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EXAMINER				
HEFFINGTON, JOHN M				
ART UNIT		PAPER NUMBER		
2172				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ADIPFDD@bipc.com  
offserv@bipc.com

### Office Action Summary

**Application No.**

10/690,611

**Applicant(s)**

CHAUDHRI, IMRAN A.

**Examiner**

JOHN HEFFINGTON

**Art Unit**

2172

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 May 2010.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 23, 24, 26-36, 38-48, 50-52, 54-63 and 66-69 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 23, 24, 26-36, 38-48, 50-52, 54-63 and 66-69 is/are rejected.
- 7) ☒ Claim(s) 45, 57, 68 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-940)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

This action is in response to the request for continued examination filed 11 May 2010. Claims 23, 24, 28-33, 35, 36, 40-45, 47, 48, 50, 52, 54-57, 59, 60, 63, 66-68 have been amended. Claims 1-22, 25, 37, 49, 53, 64, 65 have been canceled. Claims 23, 24, 26-36, 38-48, 50-52, 54-63, 66-69 are pending and have been considered below.

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 23, 24, 26-36, 38-48, 50-52, 54-63, 66-69 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Objections***

2. Claim 68 is objected to because of the following informalities: the claim depends from claim 65, however, claim 65 has been canceled. Appropriate correction is required.
3. Claims 45 and 57 are objected to because of the following informalities:

A series of singular dependent claims is permissible in which a dependent claim refers to a preceding claim which, in turn, refers to another preceding claim.

A claim which depends from a dependent claim should not be separated by any claim which does not also depend from said dependent claim. It should be kept in mind

that a dependent claim may refer to any preceding independent claim. In general, applicant's sequence will not be changed. See MPEP § 608.01(n).

Appropriate action is required.

***Claim Rejections - 35 USC § 101***

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 23, 24, 26-34 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claims are drawn to a computer readable recording medium. However, a computer readable recording medium is not defined in the specification of the instant application, and, therefore, could include a computer readable medium such as a transmitted signal or wave. A transmitted signal or a wave is none of a process, machine, manufacture or composition of matter and, therefore, is not a statutory category of invention.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 23, 26-35, 38-47, 50-52, 54-59, 61-63, 66-69 are rejected under 35 U.S.C. 103(a) as being unpatentable over Malamud et al. (US 20030142123 A1) in view of Muller (US 4,984,152).

Claims 1-22. (Canceled)

Claim 23. Malamud discloses a computer-readable recording medium having a computer program recorded thereon that causes a computer to control a display device to display a user interface and at least two different images of a cursor within the displayed user interface, the computer program causing the computer to perform operations comprising:

- a. displaying, in the user interface on the display device, a first image of the cursor, the first image of the cursor comprising a pointer arrow having a tail (paragraph 0052, figure 2E, [no information box is shown. cursor 35c is only an arrow with a tail.]);
- b. receiving a control input containing an instruction to drag at least one object displayed in the user interface on the display device (paragraphs 0042, 0047, figure 2C, [only the appearance of the pointer changes, not its functionality. A user can still select, click and drag]);
- c. controlling the display device to, upon receipt of the control input, switch the display of the first image of the cursor to a display of a second image of the cursor in the user interface, the second image of the cursor comprising a first

hybrid cursor having a pointer arrow with a first variable graphic placed proximate to the tail (paragraphs 0042, 0047, figure 2c, [only the appearance of the pointer changes, not its functionality. A user can still select, click and drag. two names may be displayed in the name information pointer 26 during a drag and drop operation.]7); and

- d. controlling the display device to display the first variable graphic in the user interface as an alphanumeric representation process including a numerical value representing a characteristic of the at least one object (paragraph 0058, figure 2K2, paragraph 0059, figure 2L2, [the information box 41E in FIG. 2K2 includes the type of data in the document, the size of the document and the source of the document. The information shown in the information box 41 G in FIG. 2L2 includes the type of object (i.e., folder), the contents of the folder and the space occupied by the contents of the folder.]).

Malamud does not disclose a first variable graphic replacing the tail comprised in the first image, as disclosed in the claims. However, in the same field of invention, Muller discloses replacing the default cursor with by other shapes or icons representative of the current computer functionality (column 1, lines 64-68), wherein the tail of the cursor has been replaced with an image portion representing a functionality being executed by the computer (column 7, lines 28-35, figure 10). Therefore, considering the teachings of Malamud and Muller, it would have been obvious to one having ordinary skill in the art at the time of the invention to add a first variable graphic replacing the tail comprised in

the first image to the teachings of to the teachings of Malamud. One would have been motivated to add a first variable graphic replacing the tail comprised in the first image to the teachings of to the teachings of Malamud in order to reduce ambiguity as to the parameters and operation that is currently being executed (Muller: column 2, lines 1-18).

Malamud and Muller do not disclose while the at least one object is being dragged, the first variable graphic in the user interface as an alphanumeric representation process including a numerical value representing a characteristic of the at least one dragged object, as disclosed in the claims. However, Malamud discloses displaying information about the source during a drag operation (paragraph 0047, figure 2C) and displaying information indicating size and number associated with the source object (paragraph 0058, figure 2K2, paragraph 0059, figure 2L2). Therefore, considering the teachings of Malamud and Muller, it would have been obvious to one having ordinary skill in the art at the time of the invention to add while the at least one object is being dragged, the first variable graphic in the user interface as an alphanumeric representation process including a numerical value representing a characteristic of the at least one dragged object to the teachings of Malamud and Muller. One would have been motivated to add while the at least one object is being dragged, the first variable graphic in the user interface as an alphanumeric representation process including a numerical value representing a characteristic of the at least one dragged object to the teachings of

Malamud and Muller in order to reduce ambiguity as to the parameters and operation that is currently being executed (Muller: column 2, lines 1-18).

Claim 25. (Canceled)

Claim 26. Malamud and Muller disclose the computer-readable recording medium of claim 23, and Malamud further discloses the computer program causes the computer to perform further operations comprising:

- a. determining when the second image of the cursor is positioned in the user interface over a destination object to which the at least one dragged object is to be copied (paragraphs 0047, 0088, figure 2c); and
- b. controlling the display device to switch the display of the second image of the cursor to a display of a third image of the cursor in the user interface, upon determining that the second image of the cursor is positioned over the destination object to which the at least one dragged object is to be copied, wherein (paragraphs 0047, 0088, figure 2c, [the source object and the name of the target object are shown. If the object is a valid target object, information is output about the impending drag and drop operation.]),
- c. the third image comprises a second hybrid cursor having a pointer arrow with a second variable graphic replacing the tail comprised in the first image of the cursor (paragraphs 0047, 0088, figure 2c, ["copying source to target]), and



- d. the second variable graphic represents a copy operation (paragraphs 0047, 0088, figure 2c).

Claim 27. Malamud and Muller disclose the computer-readable recording medium of claim 26, and Malamud further discloses that information pointer settings include color (paragraph 0110). Therefore, considering the teachings of Malamud and Muller, it would have been obvious to one having ordinary skill in the art at the time of the invention to add first variable graphic of the second image of the cursor has a first color, and the second variable graphic of the third image of the cursor has a second color different from the first color to the teachings of Malamud and Muller. One would have been motivated to add first variable graphic of the second image of the cursor has a first color, and the second variable graphic of the third image of the cursor has a second color different from the first color to the teachings of Malamud and Muller in order to reduce ambiguity as to the parameters and operation that is currently being executed (Muller: column 2, lines 1-18).

Claim 28. Malamud and Muller disclose the computer-readable recording medium of claim 26, and Malamud further discloses the numerical value represented in the first variable graphic of the second image of the cursor represents a one of a number of objects contained in the at least one dragged object and a cumulative data size of the at least one dragged object (paragraph 0059, figure 2L2, [the information box 41E in FIG. 2K2 includes the type of data in the document, the size of the document and the source

of the document. The information shown in the information box 41 G in FIG. 2L2 includes the type of object (i.e., folder), the contents of the folder and the space occupied by the contents of the folder.)).

Claim 29. Malamud and Muller disclose the computer-readable recording medium of claim 28, and Malamud further discloses the second variable graphic of the third image of the cursor includes the numerical value (paragraph 0059, figure 2L2, [the information box 41E in FIG. 2K2 includes the type of data in the document, the size of the document and the source of the document. The information shown in the information box 41 G in FIG. 2L2 includes the type of object (i.e., folder), the contents of the folder and the space occupied by the contents of the folder.])).

Claim 30. Malamud and Muller disclose the computer-readable recording medium of claim 29, and Malamud further discloses the numerical value represented in the second first variable graphic of the third image of the cursor object represents one of a number of objects being copied, and a cumulative data size of the number of objects being copied (paragraph 0059, figure 2L2, [the information box 41E in FIG. 2K2 includes the type of data in the document, the size of the document and the source of the document. The information shown in the information box 41 G in FIG. 2L2 includes the type of object (i.e., folder), the contents of the folder and the space occupied by the contents of the folder.])).

Claim 31. Malamud and Muller disclose the computer-readable recording medium of claim 23, and Malamud further discloses the numerical value indicates a number of objects contained in the at least one dragged object (paragraph 0059, figure 2L2, [the information box 41E in FIG. 2K2 includes the type of data in the document, the size of the document and the source of the document. The information shown in the information box 41 G in FIG. 2L2 includes the type of object (i.e., folder), the contents of the folder and the space occupied by the contents of the folder.]).

Claim 32. Malamud and Muller disclose the computer-readable recording medium of claim 23, and Malamud further discloses the numerical value indicates the cumulative size of the at least one dragged object (paragraph 0059, figure 2L2, [the information box 41E in FIG. 2K2 includes the type of data in the document, the size of the document and the source of the document. The information shown in the information box 41 G in FIG. 2L2 includes the type of object (i.e., folder), the contents of the folder and the space occupied by the contents of the folder.]).

Claim 33. Malamud and Muller disclose the computer-readable recording medium of claim 23, and Malamud further discloses the first variable graphic of the second image of the cursor comprises a geometric object (paragraph 0042), and the size of the geometric object is dynamically varied to accommodate the numerical value (paragraph 0107, [the information box 41E in FIG. 2K2 includes the type of data in the document, the size of the document and the source of the document. The information shown in the

information box 41 G in FIG. 2L2 includes the type of object (i.e., folder), the contents of the folder and the space occupied by the contents of the folder.)).

Claim 34. Malamud and Muller disclose the computer-readable recording medium of claim 23, but do not disclose the first variable graphic of the second image of the cursor indicates that the at least one dragged object will be deleted, as disclosed in the claims. However, Malamud discloses that the information cursor may provide information about the user's interaction with the object, for example, "deleting source file" (abstract). Therefore, considering the teachings of Malamud and Muller, it would have been obvious to one having ordinary skill in the art at the time of the invention to add the first variable graphic of the second image of the cursor indicates that the at least one dragged object will be deleted to the teachings of Malamud and Muller. One would have been motivated to add the first variable graphic of the second image of the cursor indicates that the at least one dragged object will be deleted to the teachings of Malamud and Muller in order to alert the user to an impending delete operation so the user can avoid an unintended delete operation.

Claims 35, 38, 39, 40, 41, 42, 43, 44, 45, 46 disclose method for displaying a user interface and at least two different images of a cursor within the displayed user interface on a display device of a computer similar to the computer-readable recording medium having a computer program recorded thereon of claims 23, 26, 27, 28, 29, 30, 31, 32, 33, 34 and are rejected with the same rational.

37. (Canceled)

Claims 47, 50, 51, 52, 54, 55, 56, 57 disclose a method for displaying a user interface and at least two different images of a cursor within the displayed user interface on a display device of a computer similar to the to the computer-readable recording medium having a computer program recorded thereon, with the exception that the first cursor image comprises a pointer and a tail, of claims 23, 26, 27, 28, 30, ,31, 32, 33, 34 and are rejected with the same rational.

49. (Canceled)

53. (Cancelled)

Claims 59, 61, 62, 63, 66, 67, 68, 69 disclose a computer processing device similar to the computer-readable recording medium having a computer program recorded thereon of claims 23 ,26, 27, 28, 31, 32, 33, 34 and are rejected with the same rational

64. (Cancelled)

65. (Cancelled)

7. Claims 24, 36, 48, 60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Malamud et al. (US 20030142123 A1) in view of Muller (US 4,984,152) and further in view of Lektion et al. (US 5801698).

Claim 24. Malamud and Muller disclose the computer-readable recording medium of claim 23, wherein the computer program causes the computer to perform further operations comprising:

- a. controlling the display device to switch the display of the first image of the cursor to a display of a third image of the cursor in the user interface, the third image of the cursor comprising a second hybrid cursor having a pointer arrow and a second variable graphic replacing the tail comprised in the first image of the cursor (paragraphs 0042, 0047, figure 2c, paragraph 0052, figure 2E).

Malamud and Muller do not disclose,

- a. determining when the first image of the cursor is positioned in the user interface over an object that is associated with an application in a busy state;
- b. controlling the display device to switch the display of the first image of the cursor to a display of a third image of the cursor in the user interface, upon determining that the first image of the cursor is positioned over the user interface object associated with the application in the busy state, the third image of the cursor comprising a second hybrid cursor having a pointer arrow and a second variable graphic replacing the tail comprised in the first image of the cursor; and

- c. controlling the display device to, while the cursor is positioned over the user interface object associated with the application in the busy state, display the second variable graphic of the third image of the cursor as a representation of the busy state of the application in the busy state,

as disclosed in the claims. However, in the same field of invention, Lektion discloses displaying a busy cursor over an application that is processing or busy (column 4, lines 38-44, figure 2). Therefore, considering the teachings of Malamud, Muller and Lektion, it would have been obvious to one having ordinary skill in the art at the time of the invention to add

- d. determining when the first image of the cursor is positioned in the user interface over an object that is associated with an application in a busy state;
- e. controlling the display device to switch the display of the first image of the cursor to a display of a third image of the cursor in the user interface, upon determining that the first image of the cursor is positioned over the user interface object associated with the application in the busy state, the third image of the cursor comprising a second hybrid cursor having a pointer arrow and a second variable graphic replacing the tail comprised in the first image of the cursor; and
- f. controlling the display device to, while the cursor is positioned over the user interface object associated with the application in the busy state, display the second variable graphic of the third image of the cursor as a representation of the busy state of the application in the busy state,

to the teachings of Malamud and Muller. One would have been motivated to add

- g. determining when the first image of the cursor is positioned in the user interface over an object that is associated with an application in a busy state;
- h. controlling the display device to switch the display of the first image of the cursor to a display of a third image of the cursor in the user interface, upon determining that the first image of the cursor is positioned over the user interface object associated with the application in the busy state, the third image of the cursor comprising a second hybrid cursor having a pointer arrow and a second variable graphic replacing the tail comprised in the first image of the cursor; and
- i. controlling the display device to, while the cursor is positioned over the user interface object associated with the application in the busy state, display the second variable graphic of the third image of the cursor as a representation of the busy state of the application in the busy state,

to the teachings of Malamud and Muller in indicate to a user if a drag and drop operation can be performed on a target application.

Claim 36 discloses method for displaying a user interface and at least two different images of a cursor within the displayed user interface on a display device of a computer similar to the computer-readable recording medium having a computer program recorded thereon of claim 24 and is rejected with the same rationale.



Claim 48 discloses a method for displaying a user interface and at least two different images of a cursor within the displayed user interface on a display device of a computer similar to the to the computer-readable recording medium having a computer program recorded thereon, with the exception that the first cursor image comprises a pointer and a tail, of claim 24 and is rejected with the same rational.

. Claim 60 discloses a computer processing device similar to the computer-readable recording medium having a computer program recorded thereon of claim 24 and is rejected with the same rational

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOHN HEFFINGTON whose telephone number is (571)270-1696. The examiner can normally be reached on 8:30 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Boris M. Pesin can be reached on 571-272-4070. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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10/9/10  
/Boris Pesin/  
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